CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SEVEN HUNDRED AND TWENTY-SECOND PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 25 January 1996 at 10 a.m.

President: U Aye (Myanmar)

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The PRESIDENT: I declare open the 722nd plenary meeting of the Conference on Disarmament.

I have on my list of speakers for today the representatives of India, Australia, Poland, South Africa, Japan, Morocco and the Republic of Korea. I now give the floor to the representative of India, Ambassador Ghose.

Mrs. GHOSE (India): I would like to take this opportunity to join the other speakers before me in congratulating you on your assuming the presidency of the CD at the beginning of what could be a critical year for this forum. I can assure you of our cooperation in the tasks before you. We are aware of the stand taken by Myanmar on the issues before the CD and have had the privilege of working closely and fruitfully with you before. We have noted with appreciation the industry and fairness you have personally already brought to the job, particularly in trying to deal with the strongly divergent views held by delegations on the programme of work of this session. I also take this opportunity to thank most sincerely the previous President, Ambassador Nacer Benjelloun-Touimi of Morocco, for his friendly, industrious and sincere efforts to try and find solutions to some of the issues before the Conference during his presidency. I also welcome warmly our three new colleagues (who happen to be from the Group of 21) who have recently joined the CD - the distinguished Ambassadors of Cuba, Kenya and Nigeria.

We do indeed see 1996 as a testing time for all of us in the CD. I have been told, and I agree, that the international community and international public opinion - from north and south, east and west - has great expectations of us. We need to be conscious of this.

We start this session at a time when our apprehensions relating to the international security environment have increased, rather than, as had been optimistically expected some years ago, diminished.

Less than a year ago, the NPT was indefinitely extended. This single act resulted in the legitimization, for the foreseeable future and beyond, of the possession of nuclear weapons by a few States and their possible use as a currency of power. This is not just India's view. This has been argued by some of the States themselves before the International Court of Justice. That winding down of nuclear weapons is not yet part of the global agenda has also been demonstrated and emphasized to the world by subsequent events. Nuclear-weapon States continue to spend hundreds of millions of dollars on their arsenals and plan on new facilities for continuing weapons-related research and development.

We are not unaware that these States undertook to make "progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons". But I think that we are justified in our scepticism as this undertaking was followed by reassertions by some of these countries citing reasons of their security, of their continuing need not only to possess these weapons but to ensure their reliability - for use. Other developments, including announcements of "subcritical" tests for the refinement of nuclear weapons, and proposals for political discussions on the

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future role of nuclear weapons to ensure the security of some nuclear-weapon States and their allies, and the inconsistency of these developments with the avowed goal of nuclear disarmament, have been noted by us with growing unease.

We have noted the steps taken by two nuclear-weapon States to begin a process of dismantling their nuclear weapons. We are vitally interested in the progress of this process and would encourage its widening and deepening, since even after the planned reduction, huge stockpiles of weapons will remain. These existing weapons continue to pose a threat and it is on this that our attention is focused today. Clearly, such a perpetually discriminatory environment will be perceived as unstable, provoking countries to unilateralism rather than collective security. Given the possibility of treating the perpetuation of the NPT as providing an indefinite licence for possession of nuclear weapons, it becomes even more imperative to have a legally binding commitment to eliminate these weapons in a specific time-frame.

Global nuclear disarmament has been a major objective of India's foreign policy since independence. We are also conscious that disarmament cannot be achieved while proliferation continues. However, non-proliferation cannot be an end in itself and loses moral credibility unless it is unambiguously linked to disarmament. We have demonstrated our commitment to non-proliferation by voluntarily and unilaterally exercising the most rigorous control on our peaceful nuclear programme. Possession of nuclear weapons by any country constitutes a wider threat and this is not only a matter of principle but of the safety and security of all nations and of all peoples.

It was for these reasons that India joined the other members of the G-21 in calling for the immediate establishment in the CD of an ad hoc committee on nuclear disarmament to start negotiations on a phased programme with the eventual aim of eliminating all nuclear weapons within a time-bound framework.

We were, and are, therefore deeply disturbed that some States that possess nuclear weapons appear unwilling to start addressing the security concerns of other States. That concerns on this issue are widely shared is evident from the clear messages received not only from the United Nations General Assembly but from the heads of State and Government of the majority of the world community in Cartagena last year. Mr. President, we sincerely hope that you will be able to undertake serious and intensive consultations on this issue over the next week or two, and we hope that you will succeed in getting a satisfactory agreement at an early date. In the CD, we must be able to start negotiations on a time-bound programme for the elimination of nuclear weapons early this year. This makes 1996 a year critical to the CD and to the future of all disarmament negotiations.

It is in this context that we envision the future negotiations on a comprehensive test-ban treaty. To have a multilaterally negotiated CTBT was India's proposal four decades ago. Even at that time, we had stated clearly that the CTBT was only a first step towards complete nuclear disarmament. If implemented then, the number of States with nuclear weapons and the number, types and the range of weapons in the possession of those that have them would have been much less and, in our opinion, nuclear disarmament would by now have

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been within our grasp. During these four decades the nuclear-weapon States have undertaken extensive testing programmes. This only makes it important that, as we take this step for a CTBT, we ensure that it is a step on the road to nuclear disarmament rather than into a cul-de-sac. In October 1995, addressing the NAM summit in Cartagena, my Prime Minister had "wholeheartedly" supported the goals of the CTBT in the context of obtaining a commitment to universal and comprehensive disarmament. India's views on this matter were last formally made known by us in the First Committee of the last United Nations General Assembly, when, referring to the CTBT negotiations, we stated: "We are determined to continue our contribution to this process with a view to concluding a good treaty in 1996 ... In our view, the CTBT must be an integral step in the process of nuclear disarmament. Developing new warheads or refining existing ones after the CTBT is in place, using innovative technologies, would be as contrary to the spirit of the CTBT as the NPT is to the spirit of non-proliferation".

India is committed to working towards a CTBT that will promote the universally enunciated goal of total nuclear disarmament, and thereby the lasting and legitimate security interests of all countries in a nuclear-weapon-free-world, including our own interests. In this spirit, we have been actively participating in the CTBT negotiations and will continue to be so engaged with the aim of achieving our goals.

We are aware that much work remains to be done on the CTBT text. We have yet to come to grips with several major technical and political issues, including the scope of the treaty, the verification regime, on-site inspections, the IMS architecture, the financing of both the new organization and the IMS, the composition of the Executive Council, the articles relating to withdrawal and entry into force, etc. There are, however, key issues which have centrality for India and other States. We are of the view that, to be meaningful, the treaty should be securely anchored in the global disarmament context and be linked through treaty language to the elimination of all nuclear weapons in a time-bound framework. We, therefore, intend to make concrete textual proposals in this regard at an appropriate stage so that the CTBT does not become just another flawed instrument aimed at curbing horizontal proliferation but a genuine disarmament step which terminates, for all States, without discrimination, the qualitative improvement and development of nuclear-weapon systems. If the CTBT were to enter into force without a credible commitment for the elimination of nuclear weapons we would have lost yet another opportunity to work determinedly towards achieving a nuclear-weapon-free world.

Another crucial issue relates to the article on the "scope" of the treaty. We continue to believe in a truly comprehensive test-ban treaty - that is, a treaty which bans all kinds of nuclear-weapons testing. As the PTBT drove testing underground, we do not wish the CTBT to drive testing into the laboratories by those who have the resources to do so. We must ensure that the CTBT leaves no loophole for activity, either explosive-based or non-explosive-based, aimed at the continued development and refinement of nuclear weapons. Consequently, this political intent needs to be reflected in the CTBT clearly defining our objective - a treaty which will bring an end to all nuclear-weapons development, not constrained by artificial limits of

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verification. The situation would be untenable where, even with a CTBT in place, development, refinement and production of new nuclear weapons continues. The CTBT must not become only an environmental treaty - important though the environmental consequences of test explosions may be. The CTBT, to be credible and meaningful, must be truly comprehensive and part of a genuine disarmament process. We have already presented language to cover our point of view. We would be willing to examine any other language which would address our concerns.

Verbal prestidigitation cannot provide answers to the issues that we are addressing. These need to be worked out through patient and transparent negotiations conducted in good faith and taking into account all legitimate national concerns. We look forward to consolidating the gains of the work done in recent weeks in areas where we have reached consensus. True solutions have to be found where there are differences. We will do our best to move the negotiations forward and will participate sincerely and actively in any joint search for solutions.

In conclusion, I would like to express our hope that this year the CD will move towards fulfilling not only international expectations but also the purpose for which this body was created and will be able to demonstrate the courage and determination needed to address issues which impact on all human beings, from whichever part of the world, of whatever race, colour or creed, and which can make the difference between international insecurity and international peace.

The PRESIDENT: I thank the representative of India for her statement and for the kind words addressed to the Chair. I now give the floor to the representative of Australia, Ambassador Starr.

Mr. STARR (Australia): Mr. President, I would like to take this opportunity to congratulate you formally on assumption of the presidency of this Conference and to congratulate you most warmly on the smooth and effective start to the proceedings. Your guidance and leadership were critical elements in this achievement. I assure you of the support of the Australian delegation and look forward to working with you closely. I would also like to welcome our new colleagues. The Australian delegation looks forward to working with you in the work of this Conference.

I wish to address the priority issue before this Conference: the negotiation and conclusion of a treaty text on a comprehensive test-ban treaty.

It was in 1954 that the comprehensive nuclear test ban first emerged as a prominent issue on the international disarmament agenda. 1954 was a long time ago. Stalin had just died, while Eisenhower, Mao Tse-tung and Nehru were familiar figures. My colleagues in the Australian delegation had not yet been born.

For the international community this has been a long, long haul. Since 1957, the General Assembly has adopted some 80 resolutions relating to nuclear testing. With the First Committee still fresh in our minds, we can imagine

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how much money, time and talent has gone into those 80 resolutions. Australia is proud to have been engaged with others in the struggle over many years to have those resolutions come to express the united and unopposed views of the international community.

The Conference on Disarmament and its predecessors have discussed the subject since 1962. Over the last 30 years the PTBT, the TTBT and the NPT were concluded, but never a CTBT.

Why has this been so difficult a task? Resolution of a CTBT is hard precisely because it is meaningful. A test-ban treaty constitutes a genuine step towards the elimination of nuclear weapons, and such a step could never be taken during the cold war decades.

A ban on testing will block the emergence of new generations of nuclear weapons. It binds the nuclear capabilities of the nuclear-weapon States. A CTBT will break the spiral of qualitative competition between the nuclear-weapon States and open the way for further nuclear weapons reductions. It amounts to a legally binding expression of the end of the nuclear arms race.

Thus, a CTBT will have an important normative and practical impact on disarmament and non-proliferation. Indeed, the significance of a test ban has been graphically demonstrated by the reluctance of some States to cease testing despite worldwide condemnation. It is why Australia has so strongly and consistently opposed further tests by any States. It is why the moratoriums declared and observed by nuclear-weapon States are vital to the negotiations.

Now we are moving in a determined way to take this fundamental step towards the goal of a nuclear-weapon-free world. For the moment, the strategic uncertainties and suspicions that fuelled nuclear-weapon development in the cold war do not apply. If squandered, this opportunity will slip from our grasp. We will be left with only recrimination at our failure.

Resolution 50/65, adopted at last year's Assembly without a vote, recognized the significance of the task, and the importance of seizing this opportunity as soon as possible in 1996. The guidance from the international community provides the firm expectation that we will conclude a CTBT in time for signature by the outset of the fifty-first General Assembly in September. That resolution makes clear that we in the CD are expected to complete these 40-odd years of debate and negotiation on schedule.

Thus Australia welcomes the prompt re-establishment of the NTB Ad Hoc Committee and the appointment of the Ambassador of the Netherlands, Jaap Ramaker, as its Chairman and commends his immediate, businesslike start to the task before us. Any other outcome this week would have been untenable and I applaud the commitment of delegations which enabled such a positive result.

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The 1996 target dates for conclusion and signature accepted by the overwhelming majority are both necessary and attainable. Our 1995 session, under the chairmanship of Professor Dembinski, saw a very substantial refinement and improvement in the rolling text. We start with a far better platform for negotiations than a year ago.

While many significant matters require finalization, we believe only two areas stand between us and achievement of the treaty - scope and on-site inspection.

On scope, my delegation continues to believe that the shape of convergence of views is clear enough. We are banning nuclear explosions. There must be a true-zero-yield standard, and there can be no exceptions. All five nuclear-weapon States need to coalesce around this objective and ensure that this is crystallized in text They bear a heavy but obvious responsibility. The cost of not finalizing text in the near future will inevitably produce a sense of drift and a questioning of commitment. In our view the widely supported language in CD/NTB/WP.222 effectively captures this objective.

We still believe advocacy of an over-extension of the scope of the treaty through attempts to cover wide-ranging nuclear disarmament and non-proliferation goals is over-ambitious and unhelpful in concluding a test-ban treaty.

On on-site inspection, I think it fair to say we are still some way from convergence, but the fact is we can and must make rapid progress. We believe that the complex of interrelated issues will need to be resolved in a balanced package. Within this package it will be essential to guarantee the principle of access; timely deployment of the inspection; effective use of all relevant information; and assurance against abuse, including the elaboration of managed access provisions. Balanced reflection of these principles is necessary if on-site inspection, in combination with other elements of the verification regime, is to provide the necessary deterrence against breaches of the treaty.

We know that many other issues are still to be decided, but generally these problems are localized. And often the outcomes are evident enough. Does any delegation seriously doubt, for example, that if there is a CTBT the organization will be in Vienna, co-located in the International Centre with IAEA, and with appropriate treaty language permitting links with that and other organizations? Some few matters like entry into force and the Executive Council have been deferred, though they must remain on our negotiating agenda. It is unthinkable, however, that negotiations should break down over issues such as these.

Of course, in the end success depends on the States negotiating the text agreeing to each compromises, compromises which sensibly and fairly meet the several and varying security interests of participants. This is the object of frequent and understandable calls for commitment, for political will. Every State seeks the best treaty from its own perspective, and in these concluding months some may be tempted to seek leverage from the limited time available to

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demand more than their share. But in the end, if we are to have a treaty, a satisfactory treaty, there will have to be compromise, and restraint, if we are to pursue successfully our common self-interest in achieving a CTBT.

To that end we must not lose sight of our goal. We need a convention which bans nuclear-test explosions and which provides adequate deterrence against violations while constraining abuse of any provisions. And we need that treaty both for the disarmament and non-proliferation benefits of the step itself and also because, at this point, a CTBT is the best available route towards broader objective in nuclear disarmament and nuclear non-proliferation. Envisage the jungle ahead if these negotiations fail this year.

At the start of my statement I said that the treaty mattered to Australians. It matters to us because we are serious about nuclear disarmament and non-proliferation. Late last year, our Prime Minister, Mr. Paul Keating, announced the establishment of the Canberra Commission on the Elimination of Nuclear Weapons. Mr. Keating took this initiative because of his conviction that if the aim of the world without nuclear weapons is ever to be realized the issue must be placed more firmly and centrally on the international agenda. Yesterday, at the first meeting of this Commission of independent individuals eminent in their fields, the Australian Foreign Minister, and I read from his statement, said:

> "The task confronting the Commission is as ambitious and important as any task could possible be. It is to make the case, if it can be made, as to why the world should now strive for the absolute elimination of nuclear weapons. It is to make the case, if it can be made, as to how such elimination might be achieved in practice, and it is to articulate these cases, assuming they can be made, in such clear and compelling terms that Governments around the world will be persuaded to make the necessary commitment and take the necessary action."

The Commission has been asked to look ahead, to come up with ideas and workable steps towards a nuclear-weapons-free world. It is intended to encourage negotiations to eliminate stockpiles through a systematic process. The Commission will also look at what international security arrangements will be needed both globally and regionally, including a system of stable deterrence while the reduction and eventual elimination of nuclear weapons is being achieved. As a forum outside the United Nations, but very much in sympathy with the objectives of its Members, it will submit its findings in a report to the 1996 General Assembly as well as to the Conference on Disarmament.

Not so long ago a commission of this type risked being little more than a rhetorical flourish. But times have changed. Current and planned reductions in nuclear arsenals following the end of the cold war, the unanimous decision to extend the NPT, the commitment of the international community to conclude a CTBT this year and the dismay with which much of the world reacted to continued nuclear testing, all show us that the time is right to take a fresh look at concepts of security and the role of nuclear weapons, and to start charting a practical process towards their elimination.

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As to our motives, we Australians are convinced that in the new international environment our security and the security of the people of the world at large will be better served if we can eliminate nuclear weapons, as we have moved to eliminate other weapons of mass destruction.

Thus, we view support for CTBT negotiations - the first real multilateral step towards elimination - and for their successful, swift conclusion, as a measure of a country's seriousness of purpose in seeking nuclear disarmament. In any scenario, the failure of the international community to conclude and sign a CTBT this year would be a severe and long-lasting setback to aspirations for progress.

Let us go on to build on the work done by past delegations, let us build on recent welcome political commitments given by all delegations engaged in the negotiations, and let us meet the expectation of the international community that the 1996 Conference on Disarmament will deliver a CTBT, to be signed at the outset of the fifty-first General Assembly.

The PRESIDENT: I thank the representative of Australia for his statement and for the kind words addressed to me. I shall now give the floor to the representative of Poland, Ambassador Dembinski, who, as outgoing Chairman of the Ad Hoc Committee on a Nuclear Test Ban, will present that Committee's report on its inter-sessional work, contained in document CD/1378.

Mr. DEMBINSKI (Poland): Mr. President, let me first salute you as President of the Conference on Disarmament at this decisive moment of its new session. I should like to congratulate you on your remarkable success in the expeditious launching of this session and making it possible for the Ad Hoc Committee on a Nuclear Test Ban to commence its business without any delay. I also extend a warm welcome to our new colleagues, the distinguished representatives of Cuba, Kenya and Nigeria.

As the outgoing Chairman of the Ad Hoc Committee on a Nuclear Test Ban, I have the honour to present to the Conference on Disarmament a report on its work during the period 8 to 19 January 1996. I understand that this document (CD/1378) has already been circulated.

As will be recalled, that inter-sessional effort was undertaken in accordance with the decision of the Conference on Disarmament contained in paragraph 23 of its report to the General Assembly of the United Nations.

In its substance, the negotiating effort represented a direct continuation of the work programme of 1995 and preparation for the session of 1996. Thanks to the constructive involvement and dedication of delegations, the brief two-week period available to the Ad Hoc Committee was put to intensive and very productive use resulting in important revisions to the rolling text.

Specifically, Working Group 1, chaired by Ambassador Norberg of Sweden, considered different aspects of the rolling text pertaining to verification. In this exercise, it had the benefit of the recommendations of an IMS Expert

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Group on monitoring technologies to be relied on for CTBT compliance. Meeting between 4 and 15 December 1995, the session brought together 82 experts from 29 States.

The Working Group also reviewed draft language on the international monitoring system, on-site inspections as well as associated measures and recommended some changes to the rolling text of the treaty. Moreover, the Working Group took note with great appreciation of the presentations of the Friend of the Chair on technical aspects of the International Data Centre concerning the incorporation of infrasound, hydroacoustic and radionuclide data into the International Data Centre as well as a preliminary transition plan.

In turn, Working Group 2, chaired by Ambassador Ramaker of the Netherlands, dealt with various aspects of the rolling text pertaining to the future CTBT organization. It considered in particular the practical yet sensitive issues of the funding, the seat and the possible relation of the organization to IAEA. In those regards, the Working Group recommended revised language for inclusion in the CTBT rolling text.

Moreover, the Friend of the Chair on the Preparatory Commission presented a report on his extensive consultations and study of the relevant experience of the Organization for the Prohibition of Chemical Weapons (OPCW), as well as a draft text on the establishment of a PrepCom, which were considered by the Ad Hoc Committee.

This report on the Ad Hoc Committee's intersessional efforts brings formally to an end my term of office as the Committee Chairman for 1995. As the responsibility for steering the final stage of the momentous negotiating process passes into the capable hands of the representative of the Netherlands, Ambassador Jaap Ramaker, I trust that his demanding task will be rendered more feasible, building on the record of the CTBT negotiations so far.

If that record is considered positive, the credit must to where it certainly belongs: to all delegations for the spirit of cooperation and good will which they consistently have been bringing to the negotiating table, to the dedication of the Ad Hoc Committee's Bureau, the numerous Friends of the Chair and conveners, to the very dedicated work of the IMS experts and their inveterate Chairman, Dr. Peter Marshall of the United Kingdom, to our most competent Secretary, Mrs. Jenifer Mackby, and her colleagues, to the interpreters and all those who have demonstrated that they have a stake in the CTBT, that it is our common urgent goal.

The PRESIDENT: I thank the representative of Poland for his statement and for the kind words addressed to the Chair. Ambassador Dembinski has just presented to us the results of his last endeavours in the negotiations on a comprehensive test-ban treaty. This report, together with the substantive report that the Conference presented to the fiftieth session of the General Assembly, constitute a solid foundation on which Ambassador Ramaker can build and conclude the negotiations. I am sure I speak on behalf of all members of the Conference when I express to him our most sincere gratitude for

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his untiring efforts, and his dedication in bringing us nearer to our shared objective. His personal involvement in the negotiations of the draft treaty from their inception, first as Chairman of the Committee's Working Group on Legal and Institutional Issues in 1994, and his contribution to the evolution of the draft treaty last year, will be remembered with great appreciation.

I intend to invite the Conference to adopt the report of the Ad Hoc Committee on a Nuclear Test Ban, as contained in CD/1378, at a subsequent plenary meeting. I am informed that the document will come out in all languages soon.

I now give the floor to the representative of South Africa, Ambassador Selebi.

Mr. SELEBI (South Africa): Permit me to congratulate you, Sir, on your assumption of the office of President of the Conference on Disarmament. I would also like to extend the appreciation of my delegation to your predecessor, Ambassador Benjelloun-Touimi of Morocco, for the way in which he guided the work of the Conference during the last part of 1995. We would also like to pay tribute to Ambassadors Dembinski, Norberg and Ramaker for the way in which they led the negotiations on the CTBT in the Ad Hoc Committee during the 1995 session.

My delegation welcomes the decision which was taken by the Conference on Disarmament (CD) on 23 January 1996 to immediately re-establish the Ad Hoc Committee on a Nuclear Test Ban under the chairmanship of Ambassador Ramaker of the Netherlands. As delegations will recall, the parties to the nuclear non-proliferation Treaty (NPT) set 1996 as the deadline for the conclusion of the CTBT when they adopted the "Principles and objectives for nuclear non-proliferation and disarmament" at the 1995 NPT Review and Extension Conference. This decision was reinformed when the United Nations General Assembly adopted - also by consensus - the resolution on a comprehensive nuclear-test-ban treaty (50/65). In that resolution the Conference on Disarmament is called upon "to conclude, as a task of the highest priority, a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which contributes to nuclear disarmament and the [non-proliferation] of nuclear weapons in all its aspects, so as to enable its signature by the outset of the fifty-first session of the General Assembly". The completion of the negotiations for a CTBT is therefore clearly the most important task facing the Conference on Disarmament during this session. The CD's decision to establish the Ad Hoc Committee immediately and Ambassador Ramaker's decision to commence that Committee's work right away will send to the international community the proper signal: namely our combined determination to meet the deadline.

It is common cause that whilst the rolling text of the draft treaty remains heavily bracketed, only a few - but fundamental - issues remain to be resolved. Once these issues have been addressed then many of the other difficulties will either disappear or easily fall into place. Of the issues which are still outstanding, that of the scope of the treaty is one of the most essential. Here South Africa has consistently held the view that the CTBT should be an instrument for disarmament and non-proliferation and that

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both these elements must be reflected in the article on scope. We have also made it clear that South Africa does not support the concepts of peaceful nuclear explosions or low-yield tests and we have welcomed the announcements by the Governments of France, the United States, the United Kingdom and the Russian Federation supporting a true-zero-yield test-ban treaty. It was against this background therefore that the South African delegation stated in the general debate of last year's First Committee that we support the draft article which was proposed by Australia on 9 March 1995 in CD/NTB/WP.222. The Australian text, we believe, highlights the important issues which need to be addressed. Our interpretation is that it provides for a fully comprehensive zero-yield test-ban treaty, banning so-called peaceful nuclear-test explosions and also covering preparations for test explosions.

My delegation's support of the 1996 deadline for the conclusion of the CTBT negotiations and our position on the CTBT as an instrument of disarmament and non-proliferation is reinforced by our view that the CTBT is an integral part of a programme of action which will lead to the full implementation of the article VI nuclear disarmament obligations of the nuclear non-proliferation Treaty. Paragraph 4 of the Principles and Objectives for Nuclear Non-proliferation and Disarmament identifies the initial elements of such a programme of action for nuclear disarmament. These are the completion of the CTBT negotiations no later than 1996; the immediate commencement and early conclusion of a convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, the so-called "cut-off" convention; and the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control. The Principles and Objectives also cover other elements which are important to the nuclear disarmament agenda, namely the establishment of nuclear-weapon-free zones and the need to address the issue of security assurances to the non-nuclear-weapon States party to the NPT. The agreements which were achieved at the NPT Review and Extension Conference provide, however, for a dynamic process which will add to the programme of action as issues are dealt with and removed from the agenda.

On the issue of verification of a CTBT, my delegation believes that the international monitoring system (IMS) needs to be structured in such a way as to provide confidence in its ability to verify the treaty effectively. Like many other delegations we also believe that on-site inspections (OSI) will be rare and that we must therefore ensure that the investigation of ambiguous or suspicious events, at least in the initial phase of investigation, should be swift and effective. Such a system will not only ensure that the doubts and suspicions created by such events are quickly removed but that the international community will be confident of the CTBT's ability to assure compliance with its provisions.

On the matter of States presenting additional information as the basis for their requests for action by a future CTBT organization - information gained from so-called national technical means (NTM) - my delegation shares the concerns which have been expressed by others about possible abuses. We believe, however, that it will be very difficult to prevent States from

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utilizing such information as the basis for their approaches to the future organization and it may therefore be necessary to include measures to regulate its use. Possible steps may be to require that the information should be supplied to the Technical Secretariat in unprocessed form and that the IMS should provide independent confirmation of that information. Utilization of the "red light/green light" mechanism could also place a heavier "burden of proof" on national technical means.

We are, however, convinced that the outstanding issues in the rolling text of the CTBT will not prove insurmountable given the necessary political will and flexibility on the part of all the delegations represented in this chamber.

I would also like briefly to convey our ideas on the programme of work of the Conference this year. My congratulations are extended to Ambassador Hocine Meghlaoui of Algeria on his appointment as Special Coordinator on the review of the future agenda of the Conference as well as on organizational arrangements to deal with the issues of the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices; effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; prevention of an arms race in our space; and transparency in armaments.

With the appointment of a Special Coordinator the Conference clearly recognizes that there are many other issues in addition to the CTBT which need to be addressed. Nevertheless, we are all aware that selecting only a few items on our agenda for consideration would be extremely difficult. On the other hand, we will undoubtedly not be able to devote equal time and energy to all items.

It appears to us that there is a large measure of support in the Conference for work on the following issues: nuclear disarmament, fissile material cut-off, transparency in armaments and security assurances. As yet, however, there is no agreement on how we can realistically approach these issues this year. Transparent and open consultations involving members and non-members would give us all an opportunity to give our opinions on how best to proceed towards the substantial discussion of these matters and would enable us to take into account the concerns of all States participating in the CD. We believe that it is possible to make some meaningful advance on these issues without misdirecting resources necessary for the completion of the CTBT negotiations.

My delegation also believes that it would be beneficial to our work if we approached our discussions on the agenda this year without relying on so-called linkages. Ever since they were raised at the end of 1994, linkages have led to a disappointing lack of progress on issues which the Conference should address. Linkages are no doubt a neat way of avoiding progress on certain subjects, or of trying to ensure progress on others, but the result has instead been mostly to block progress on all fronts.

(Mr. Selebi, South Africa)

The reform of the United Nations system is a debate which is receiving widespread attention. Whilst recognizing the independence of the Conference on Disarmament in its role as the sole multilateral negotiating body on disarmament, we do not believe that this body can stand divorced from the drive to ensure that the multilateral system becomes streamlined and more efficient. This is especially so given the fact that it is financed by the contributions of all the Members of the United Nations. It is my delegation's belief that the manner in which the CD members have dealt with the expansion issue has highlighted some of the problem areas in the Conference which are in need of reform.

First, the "decision on expansion of membership of the Conference" (CD/1356) which was taken by the CD on 21 September 1995 was a key step in the work which needs to be done to ensure that the Conference on Disarmament reflects the current international environment and not the cold war era as it does now. The international agreements which are negotiated in this body are of universal importance and aspire to universal adherence. This body should therefore be representative of the new international community. As I made clear at the time decision CD/1356 was adopted, South Africa cannot hide its disappointment at the limited scope of the decision; namely that it will require a further decision of the CD before the so-called new members-to-be can take up their membership. Our concerns in this regard have, however, been heightened by the failure of this body to give any substance to its decision, despite the fact that the General Assembly adopted a consensus resolution (50/72 C) calling for the implementation of the expansion decision on an urgent basis and also urging that the new members should together assume membership of the Conference at the start of the 1996 session. Members will recall that the countries which were accepted for membership responded to the CD decision by requesting the President to seek the early agreement of the CD to (i) enhanced participation in the CD's work and decision-making processes through access on an equal basis to all the CD's formal and informal meetings and consultations and (ii) acknowledgment of the opportunity to be considered for CD positions subject to the normal considerations. The Group of 23 countries furthermore also asked that the secretariat should make the necessary seating arrangements in order to reflect the new status accorded to the members of the G.23. There as been no movement on any of these issues.

Secondly, the non-transparent way in which the CD has dealt with this matter identifies further areas which need to be addressed when considering the reform of the Conference. These include the closed Presidential consultations and the closed group process which dominates decision-making. This has the effect that the interests and concerns of the countries which do not have the privileged status of membership are not given the attention and the weight which they deserve. It also allows member countries to adopt positions in closed consultations without needing to explain or defend these positions. In the case of expansion the position of the United States delegation and its concern about one of the members of the Group of 23 is well known. It is, however, also generally known that other members have difficulty even with the implementation of steps which would, in the interim, give meaning to the decision. It is my delegation's view that in the post-cold-war environment it cannot be business as usual. If the CD wants to maintain its status as the sole multilateral global negotiating body on

(Mr. Selebi, South Africa)

disarmament and if it wants universal support for agreements it negotiates, then it must reform. It cannot continue to serve the vested interests of a few countries.

The PRESIDENT: I thank the representative of South Africa for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Japan, Ambassador Kurokochi.

Mrs. KUROKOCHI (Japan): At the outset, Sir, I would like to congratulate you on your assumption of the presidency of the Conference on Disarmament at the beginning of its 1996 session. It is fortunate for us that we can rely on your able leadership at this most challenging time. We have already benefited from your wisdom, experience and diplomatic skills when you successfully guided us through the smooth start of the deliberations of the Conference and the seamless resumption of the work of the Ad Hoc Committee on a Nuclear Test Ban. I can assure you of the fullest cooperation of my delegation. I would also like to express my appreciation to Ambassador Benjelloun-Touimi of Morocco for the exemplary way in which he carried out his important functions as the President of the Conference on Disarmament last year. I also wish to warmly welcome the distinguished Ambassadors of Cuba, Kenya and Nigeria, whose participation will surely enrich our deliberations.

Without exaggeration, the task we face this year in the CD is of vital importance to the whole world. This mission of concluding the negotiations on the comprehensive nuclear-test-ban treaty is a lofty responsibility with which the international community entrusts this Conference.

Let me cite a few examples of the international commitment to conclude a CTBT in 1996. It is still fresh in our memory that such a commitment was demonstrated in the "Principles and objectives of nuclear non-proliferation and disarmament" decided at the NPT Review and Extension Conference last May and also in the resolution entitled "Comprehensive nuclear-test-ban treaty" adopted without a vote at the United Nations General Assembly last December.

It is encouraging that we have succeeded in the prompt resumption of the work on the CTBT on the very first day of deliberation of the 1996 CD session. It is a clear manifestation that all of us are, and will continue to be, committed to the earliest possible conclusion of the negotiations on the CTBT.

As for Japan, Prime Minister Ryutaro Hashimoto stated in his policy speech on 22 January this year that Japan would make its utmost effort toward concluding the CTBT in this coming spring.

A world free of nuclear testing is now within our reach. We should not miss this precious window of opportunity. We need to consider how we can make the best use of the remaining time.

For this purpose, we have to, first of all, have a clear vision of a feasible time-frame. Let me draw your attention to the statement I made here on 31 August last year. In that statement I pointed out that the goal of signing the CTBT by the fall of 1996 would make it necessary for us to have a clean text available during the second session of the CD this year. I still

(Mrs. Kurokochi, Japan)

firmly believe that we must complete this task. This means that we need to reach an agreement on the substance of the treaty during this session of the CD.

Secondly, we need to sort out the questions that we need to solve in the negotiations in the CD from those issues that we may entrust to the Preparatory Commission.

Bearing in mind such a timetable, we should grapple with remaining substantial problems in the first session of the CD. If I may refer to my August statement again, I offered my views on three specific areas of particular importance, namely, the scope of the treaty, verification and the organization, in particular, the question of the seat of the CTBTO and the organization's relations with IAEA.

Needless to say, the scope is the central issue of the treaty. The scope will define the CTBT. Japan supports a true-zero-yield CTBT, which prohibits all nuclear-weapon test explosions or any other nuclear explosions. It is Japan's desire to see the CTBT become a concrete step toward nuclear disarmament. In this regard, we took careful note of the statement made by Mr. John Holum, Director of the United States Arms Control and Disarmament Agency. We welcome his view that, by precluding nuclear explosive tests, the CTBT will have a great practical impact to end development of new advanced weapons and keep new military applications from emerging.

Japan urges all nuclear-weapon States to agree on a true-zero-yield provision as soon as possible. We also strongly hope that increasing support for the treaty language proposed by Australia in its working paper (CD/NTB/WP.222) will soon lead to a consensus as it accurately embodies the true-zero-yield nuclear-test ban. We are now at the stage in which political decisions must be taken with determination toward the convergence of views for the conclusion of the negotiations. No doubt all of us want a "good treaty". It would be a tragedy, however, if, as the result of each State insisting on a treaty which fully incorporates its national concern, we fail to have any treaty at all.

With respect to the verification system, it was regrettable that the inter-sessional work on the international monitoring system this month could not produce sufficient results. Further progress is required in the nearest possible future.

As regards on-site inspection, it does not seem to be a productive approach to continue compartmental discussions on individual items such as trigger mechanism, consultation and clarification, decision-making, time lines and intrusiveness respectively. My delegation shares the view with other delegations that it would be necessary for us to formulate a sort of package that encompasses all related major elements of on-site inspection. To forge such a package, it is important to seek an appropriate consultation mechanism including a Friend of the Chair as suggested by the Chairman of the Ad Hoc Committee on a Nuclear Test Ban, Ambassador Ramaker of the Netherlands.

(Mrs. Kurokochi, Japan)

As to the organization, please allow me to refer once again to what I stated at the CD plenary before. On 6 July last year I made clear Japan's position that the CTBTO should be small, efficient, cost-effective and free of too much bureaucratization. At the same time, I stated that Japan considers Vienna favourably as a possible seat for the organization to make the best use of existing expertise, particularly that of IAEA. Japan now welcomes the emerging consensus which took shape during the inter-sessional period, particularly so because this direction exactly corresponds to Japan's long-expressed view.

In addition to these three points, Japan is of the view that we should proceed with our work looking ahead into the implementation phase of the treaty. I would like to address some issues that will be of significant importance in the future. These items are funding, the Preparatory Commission and entry into force.

First, funding is an especially urgent question. Unlike other multilateral treaties such as the chemical weapons Convention, the CTBT requires a huge financial contribution from each State during its establishment phase. This means that States have to be well prepared to provide the contribution from their budget as early as 1996 or 1997. Thus, we do not have the luxury to wait until the end of the whole negotiations to solve this issue. The sooner we reach a conclusion on funding, the better.

Moreover, this is a very complex question. Finance relates to every aspect of the CTBT organization, including the international monitoring system/International Data Centre, on-site inspection, the Preparatory Commission, administrative costs and the relationship with other organizations. Taking this opportunity, the delegation of Japan would like to express our appreciation for the honour bestowed upon us by appointing a member of my delegation, Mr. Amano, as the Friend of the Chair on such an important and difficult issue. I hereby assure the Conference that my delegation shall spare no effort to fulfil this challenging task.

Second, the Preparatory Commission. We appreciate the Friend of the Chair's effort to make a good start on this issue. We hope that no decision of a political nature will be left to the Preparatory Commission so that it can concentrate its efforts on the technical aspects of establishing the CTBTO and make preparations for the initial phase of the treaty.

Third, Japan also attaches importance to entry into force. The entry into force of the CTBT will definitely enhance the international conviction not to accept nuclear testing. The single numerical measure, the waiver clause and other proposed methods have their own merits and demerits but Japan is of the view that we should adopt a method that enables the day of entry into force to come to us as early as possible. Even though perfect universality seems to be difficult to achieve within a few years, the entry into force of this treaty with a sufficient number of States parties will give a great political impetus to increase the number of States parties to the treaty and will be effective to realize a world free of nuclear testing.

(Mrs. Kurokochi, Japan)

Now, allow me to touch upon some additional, but also significant issues other than the CTBT in the Conference on Disarmament.

I would be remiss if I did not take up the subject of nuclear disarmament. Japan has consistently appealed to the nuclear-weapon States to steadily move forward to nuclear disarmament; we believe it is particularly imperative now in view of the indefinite extension of the NPT and the "Principles and objectives". As for the Conference on Disarmament, I have noted the Presidential remarks made on 23 January on the issue of nuclear disarmament. I hope that the President's efforts to bring about consensus through consultations on this issue are fruitful.

As repeatedly stated, Japan's position on nuclear disarmament is clear. We believe our goal must be the ultimate elimination of all nuclear weapons. This should be achieved through a variety of measures to ensure nuclear non-proliferation, to reduce existing nuclear stockpiles and to prevent qualitative improvement of nuclear weapons. Those measures should not be empty slogans but they must be put into action through realistic measures that will lead to actual nuclear disarmament. It was in accordance with this view that Japan again introduced at the United Nations General Assembly last year a draft resolution on nuclear disarmament with a view to the ultimate elimination of nuclear weapons. Japan is gratified that the resolution 50/70 C was adopted at the General Assembly with an overwhelming majority of 154 votes in favour and no opposition.

We are also very pleased to note that the United States shares the same view as Japan in this regard. I am referring in particular to the statement by Mr. John Holum, that I referred to earlier. He stated that "the ultimate goal will be reached only through realistic moves forward, as genuine security concerns permit, with each step building on those before it". Japan fully shares his view that the CTBT is an attainable major step on that path and that we will never achieve a world free of nuclear weapons unless we first achieve a world free of nuclear explosions.

Beyond the CTBT, the prohibition of the production of fissile material for nuclear weapons or other nuclear devices must be the next such concrete step. I would like to draw delegations' attention to the fact that we agreed to establish an ad hoc committee on fissile cut-off last year. Japan strongly hopes for the earliest commencement of negotiations on this issue.

Finally, as regards the CD expansion, Japan welcomes the CD decision (CD/1356) made last year as one proof that the CD does pay keen attention to this issue. We would like to see the solution to this issue, which is acceptable to all concerned, at an early date.

Last year was a truly pivotal year in disarmament and non-proliferation. It is totally up to our efforts whether we can make this year another historic year. Japan strongly hopes that we, with all other States, will inscribe the year 1996 in history as the year when mankind comprehensively prohibited nuclear testing.

The PRESIDENT: I thank the representative of Japan for her statement and for the kind words addressed to the Chair. I now give the floor to the representative of Morocco, Ambassador Benjelloun-Touimi.

Mr. BENJELLOUN-TOUIMI (Morocco) (translated from French): Mr. President, first of all allow me to congratulate you on taking up the presidency of the Conference on Disarmament and wish you every success in your task. My delegation and myself reiterate our full readiness to cooperate with you and contribute to success in the Conference's work. I would also like to express our admiration at this stage for the way in which you conducted the consultations to ensure that our work got off to a good start. As the session begins I would also like to pay tribute to the Secretary-General of our Conference, Mr. Vladimir Petrovsky, and the Deputy Secretary-General, Mr. Abdelkader Bensmail, who deserve our highest esteem for the efforts they are making to facilitate the work of the Conference. On the same occasion I would like to welcome the Ambassadors of Kenya, Cuba and Nigeria.

Mr. President, I asked for the floor today to announce that on 13 December 1995 the Kingdom of Morocco ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. In thus becoming party to the Convention, the Kingdom of Morocco, which has never possessed or intended to possess chemical weapons, hopes to be able to contribute to the total and definitive elimination of this type of weapon. In view of the basic characteristics of the chemical weapons Convention, in particular its scope and universal vocation, Morocco hopes that the treaty will soon receive the greatest number of ratifications so that it can be implemented as soon as possible. In ratifying the Chemical Weapons Convention Morocco would like to recall that it has always supported the total and complete elimination of all weapons of mass destruction. It considers that the adoption of this Convention is a step towards that objective of fundamental importance for the security of the entire international community.

The PRESIDENT: I thank the representative of Morocco for his statement and for the kind words addressed to me. I now give the floor to the representative of the Republic of Korea, Mr. Hwang.

Mr. HWANG (Republic of Korea): First of all, Mr. President, I would like to extend to you my delegation's warmest congratulations on your assumption of the presidency of the Conference on Disarmament. I am confident that your integrity and wise leadership will ensure the Conference a great success.

Let me also express my sincere appreciation for the work of the preceding President, Ambassador Benjelloun-Touimi of Morocco. I am especially grateful for his guidance and devotion towards the expansion of CD membership.

I am taking the floor to express my view on this very question of the CD membership expansion.

(Mr. Hwang, Republic of Korea)

On 21 September 1995, the Conference on Disarmament adopted decision CD/1356 by consensus, whereby the 23 countries listed in the 1993 report by the then Special Coordinator for membership, Ambassador O'Sullivan, will all assume together membership of the Conference at the earliest possible date to be decided by the Conference.

This decision is not only a reflection of the long-cherished aspirations of the G.23 States for full CD membership, but also a landmark in the history of the CD which makes it possible to broaden the basis of support for the results of future disarmament negotiations.

The importance of the CD decision was exemplified by the fact that the fiftieth United Nations General Assembly endorsed CD/1356 by adopting a resolution by consensus which called for the implementation of the decision on an urgent basis.

In spite of the significance and the urgency of the decision on this matter, it has yet to be implemented. This is mainly due to differing opinions on whether or not one State among the 23, which is subject to the Security Council's comprehensive enforcement measures, would have the right to deny consensus on any decision to be adopted by the Conference.

In this connection, my delegation is of the view that it would be helpful to review the basic concept of "consensus" which the CD adopts in its rules of procedure.

The method of consensus has been adopted in the United Nations system since the 1960s when there was a need of adjusting different viewpoints without taking a vote. Therefore, in a consensus system, which clearly differs from the method of unanimity, the majority should have the patience to hear the opinion of the minority. All the participants in the meeting are expected to show themselves to be magnanimous in accepting persuasion, logic, reason, and reconciliation.

In this regard, consensus itself implies negotiation and exists only through negotiation. Once a consensus is reached, however, all the participants in the negotiations should honour the results. They are obliged to do their utmost not to exercise their virtual veto on the consensus decision.

If this understanding of the practice of consensus is applied to the question of CD expansion, the decision made by consensus should, as such, be faithfully implemented.

My delegation sincerely hopes that all the present CD members will not stand in the way of the consensus method along which the CD has chosen to advance and cooperate in creating a general atmosphere conducive to solving the question of CD expansion at the earliest possible date.

In doing so, the CD may concentrate more energy on the much more challenging tasks of disarmament that lie ahead of us.

The PRESIDENT: I thank the representative of the Republic of Korea for his statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor?

As I indicated to you at our plenary meeting on Tuesday 23 January, I shall soon start the process of intensive consultations with a view to developing a basis for consensus on how to deal with the issue of nuclear disarmament in the Conference. For this purpose, I plan, initially, to hold a round of bilateral consultations with delegations. Similarly, I intend to start consultations with a view to achieving the earliest possible implementation of the decision taken by the Conference in September 1995 concerning expansion of its membership, contained in document CD/1356. I am sure that, in these endeavours, I can rely on the same spirit of cooperation and accommodation which allowed us to make a smooth and swift start to our work this year.

The secretariat has circulated, at my request, a tentative timetable of meetings for next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, merely indicative and subject to change if necessary. On this understanding, may I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: The next plenary meeting of the Conference will be held next Thursday, 1 February 1996 at 10 a.m.

The meeting rose at 11.40 a.m.